

Recommendations of the Texas Water Commission on HB 1845 filed with the Speaker on May 13, 1971.

Recommendations of the Texas Water Commission on HB 1846 filed with the Speaker on May 13, 1971.

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Appropriations: HB 1441, SB 324.

Congressional and Legislative Districts: HB 782.

Engrossed and Enrolled Bills: Correctly enrolled—HB 1440.

Higher Education: SB 920.

Judiciary: HB 28, SB 146, SB 317, SB 672.

Liquor Regulation: SB 742, SB 941.

Public Education: SCR 89.

Resolutions and Interim Activities: HCR 71, HCR 83, HCR 125, HCR 129, HCR 131, HSR 487, HSR 138, HSR 227, HSR 301, HSR 374, HSR 403, HSR 438, HSR 444, HSR 451, HSR 460.

SENT TO THE GOVERNOR
May 14, 1971

HB 1440

SEVENTY-SIXTH DAY—MONDAY, MAY 17, 1971

The House met at 11:00 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Braecklein	Cruz	Hannah, John
Adams	Braun	Daniel	Harding
Agnich	Burgess	Davis, H.	Harris
Allen, Joe	Bynum	Denton	Hawkins
Allen, John	Caldwell	Doran	Hawn
Angly	Calhoun	Doyle	Haynes
Atwell	Carrillo	Dramberger	Head
Atwood	Cates	Earthman	Heatly
Baker	Christian	Farenthold	Hendricks
Bass, T.	Clark	Finnell	Hilliard
Beckham	Clayton	Finney	Holmes, T.
Bigham	Coats	Foreman	Howard
Blanton	Cobb	Garcia	Hubenak
Blythe	Cole	Golman	Hull
Boyle	Craddick	Grant	Ingram

Johnson	Moore, A.	Price	Spurlock
Jones, E.	Moore, T.	Reed	Stewart
Jones, G.	Moreno	Rodriguez	Stroud
Jungmichel	Murray	Rosson	Swanson
Kaster	Nabers	Salem	Tarbox
Kubiak	Nelms	Salter	Truan
Lee	Newton	Sanchez	Tupper
Lemmon	Nichols	Santiesteban	Uher
Lewis	Niland	Schulle	Vale
Ligarde	Nugent, J.	Semos	Von Dohlen
Lombardino	Ogg	Sherman	Ward
Longoria	Parker, W.	Short	Wieting
Lovell	Patterson	Silber	Williams
McAlister	Pickens	Slack	Williamson
Mengden	Poerner	Slider	Wolff
Moncrief	Presnal	Smith	

Absent

Bass, B.	Gammage	Kilpatrick	Solomon
Bowers	Graves	Kost	Traeger
Cavness	Hale	McKissack	Wayne
Davis, D.	Hanna, Joe	Moore, G.	Wyatt
Finck	Holmes, Z.	Neugent, D.	
Floyd	Jones, D.	Poff	

Absent-Excused

Allred	Parker, C.	Shannon	Simmons
Orr			

(Mr. Jim Nugent occupied the Chair temporarily)

(Speaker in the Chair)

A quorum of the House was announced present.

The Invocation was offered by the Reverend Frank McElroy, Pastor of the First Presbyterian Church, La Grange, Texas.

Representatives Cavness, Wayne, Delwin Jones, Kost, Solomon, Dean Neugent, Dee Jon Davis, Joe Hanna, Gammage, Traeger, and Bill Bass entered the House and were announced present.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence for today on account of important business:

Mr. Carl Parker on motion of Mr. Kilpatrick.

Mr. Orr on motion of Mr. Ogg.

Mr. Allred on motion of Mr. Denton.

Mr. Shannon on motion of Mr. Traeger.

The following Member was granted leave of absence for today on account of illness:

Mr. Simmons on motion of Mr. Kost.

MESSAGE FROM THE SENATE

Austin, Texas, May 17, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee Report on SB 213 by viva voce vote.

I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on HB 1424.

The following have been appointed on the part of the Senate:

Senators Word, Mauzy, Creighton, Harris, and Schwartz.

I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to SB 379 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Jordan, Wallace, Brooks, and Schwartz.

I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to SB 817 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators A. R. Schwartz, H. J. (Doc) Blanchard, A. M. Aikin, Jr., William N. Patman, and David Ratliff.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 859 by 28 Yeas, 0 Nays.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 550 by viva voce vote.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 541 and SB 819 by viva voce vote.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 916 by 28 Yeas, 0 Nays.

I am directed by the Senate to inform the House that the Senate has passed the following:

SB 493, By Kothmann, et al: Providing for a state school for the mentally retarded; and declaring an emergency.

SB 519, By Wilson: Relating to the establishment of a campus of the Texas State Technical Institute at Palestine, Anderson County; and declaring an emergency.

SB 721, By Beckworth: Providing for appointment of a guardian ad litem to represent the interests of minors and incompetents in contested child custody causes; and declaring an emergency.

SB 768, By Hall: Amending the Private Detectives, Private Investigators, Private Patrolmen, Private Guards and Managers Act; and declaring an emergency.

SB 875, By Connally: Providing methods of assessment for ranch, farm, forest and other open space lands; and declaring an emergency.

SB 906, By Creighton: Relating to reorganizing the 43rd Judicial District and creating the 235th Judicial District; and declaring an emergency.

SB 913, By Brooks: Defining the word "premise" in connection with the sale of alcoholic beverages; and declaring an emergency.

SB 954, By Kennard: Relating to leasehold interests in land, buildings or improvements owned in whole or in part by the state, a county, a city or cities, a school district, or any other governmental or public entity or body politic; and declaring an emergency.

SB 1009, By Herring: Authorizing the Texas Department of Agriculture to receive and hold for processing export-import livestock or other animals; and declaring an emergency.

SJR 50, By Connally: Proposing an Amendment to Section 1-d, Article VIII, Constitution of the State of Texas, to provide for methods of assessment for ranch, farm, forest, and other open space lands that will promote the preservation of their existing uses.

SCR 98, By Watson: In memory of the Honorable Frank M. Wilson.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

Representatives Kilpatrick, Hale, Wyatt, McKissack, and Zan Holmes entered the House and were announced present.

MEMORIAL RESOLUTION ADOPTED

The following Memorial Resolution was adopted unanimously by a rising vote:

HSR 496, by Braun and Nichols: In memory of Amos Joseph Lancon.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HSR 493, by Patterson: Extending thanks to Dr. James C. Dolley.

HSR 495, by Adams: Commending Mr. O. L. Marsh, Vocational Agriculture Teacher, Woodville High School, Woodville, Texas.

INTRODUCTION OF HB 1870

Mr. Delwin Jones asked unanimous consent to introduce and have placed on first reading HB 1870.

There was no objection offered.

Representative Griffith Moore entered the House and was announced present.

INTRODUCTION OF HB 1871

Mr. Ogg asked unanimous consent to introduce and have placed on first reading HB 1871.

There was no objection offered.

Representative Graves entered the House and was announced present.

HB 272—VOTE RECONSIDERED

Mr. Lemmon called from the Journal the motion to reconsider the vote by which HB 272 failed to pass on last Friday.

Mr. Williamson raised a point of order against further consideration of HB 272 on the grounds that it violates Rule 29, Section 30 of the House Rules.

The Speaker overruled the point of order.

Representatives Floyd and Poff entered the House and were announced present.

HB 272—(Consideration continued)

The motion to reconsider the vote by which HB 272 failed to pass then prevailed by the following vote:

Yeas—74

Adams	Cruz	Ingram	Pickens
Agnich	Daniel	Johnson	Price
Allen, Joe	Doyle	Jones, E.	Reed
Atwood	Earthman	Kaster	Salem
Bass, B.	Finck	Kilpatrick	Salter
Bass, T.	Finnell	Lee	Sanchez
Beckham	Foreman	Lemmon	Santiesteban
Bigham	Gammage	Ligarde	Silber
Blythe	Golman	Lombardino	Smith
Bowers	Grant	Longoria	Swanson
Boyle	Graves	McAlister	Tupper
Burgess	Hale	Moore, A.	Uher
Caldwell	Hannah, John	Moore, T.	Vale
Christian	Harding	Moreno	Wayne
Clark	Haynes	Nabers	Williams
Coats	Head	Nelms	Wolff
Cobb	Hendricks	Nichols	Wyatt
Cole	Holmes, Z.	Niland	
Craddick	Hubenak	Ogg	

Nays—60

Allen, John	Farenthold	Kubiak	Schulle
Atwell	Floyd	Lewis	Semos
Baker	Garcia	Lovell	Sherman
Blanton	Hanna, Joe	McKissack	Short
Braecklein	Harris	Mengden	Slack
Braun	Hawkins	Moncrief	Slider
Bynum	Hawn	Moore, G.	Solomon
Calhoun	Heatly	Murray	Spurlock
Carrillo	Hilliard	Neugent, D.	Stroud
Cates	Holmes, T.	Patterson	Tarbox
Cavness	Howard	Poerner	Truan
Clayton	Jones, D.	Poff	Von Dohlen
Davis, D.	Jones, G.	Presnal	Ward
Davis, H.	Jungmichel	Rodriguez	Wieting
Dramberger	Kost	Rosson	Williamson

Absent

Angly	Finney	Nugent, J.	Traeger
Denton	Hull	Parker, W.	
Doran	Newton	Stewart	

Absent-Excused

Allred	Parker, C.	Shannon	Simmons
Orr			

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled bills and a resolution:

SB 213, Relating to the creation, etc., of a county civil service system in certain counties.

SB 329, Providing that any navigation district now existing or later to be constructed, may place the management of said facility in a Board of Trustees for a certain specified time.

SB 522, Transferring funds previously appropriated to the Board of Pardons and Paroles from one appropriation item to another.

SB 541, Amending the Texas Municipal Retirement Act relating to prior service credit.

SB 550, Relating to and authorizing a minimum and maximum salary for the official shorthand reporters in certain Judicial Districts, and certain County Courts at Law and County Civil Court at Law of Bexar County.

SB 738, Removing certain qualifications relating to children using public school transportation.

SB 751, Amending employers' liability and workmen's compensation laws in this state.

SB 819, Providing for the compensation of county judges of certain counties.

SB 916, Relating to the establishing and maintaining of a county law library in certain counties.

SCR 97, Requesting return of SB 413 to the Senate.

INTRODUCTION OF HB 1872

Mr. Nelms asked unanimous consent to introduce and have placed on first reading HB 1872.

There was no objection offered.

RELATIVE TO BILLS AND RESOLUTIONS ON FIRST READING

By unanimous consent, the reading of bills and resolutions on first reading and referral to Committees was delayed until the business on the Calendar was considered.

LEAVE OF ABSENCE GRANTED

The following Member was granted leave of absence for today on account of important business:

Mr. Slider, temporarily for today, on motion of Mr. Clayton.

Representative Bowers entered the House and was announced present.

CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

HSR 498, by G. Moore: Commending Joe A. Lubben, Executive Vice-President and General Manager of The Dallas News.

HB 1527 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 1527, Concerning operation and maintenance of The University of Texas of the Permian Basin.

The bill was read third time and was passed.

Mr. Slack moved to reconsider the vote by which HB 1527 was passed and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives Patterson, Reed, Calhoun, Cavness, and Silber requested to the recorded as voting Nay on the passage of HB 1527.

HB 22 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 22, Concerning preservation of courthouses with historical value.

The bill was read third time.

Mr. Rosson moved that consideration of HB 22 be postponed until 12:30 p.m. today.

Mr. McAlister moved to table the motion to postpone.

The motion to table was lost.

The motion to postpone HB 22 until 12:30 p.m. today then prevailed.

HB 1031 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 1031, Creating the Texas Historical Development Council.

The bill was read third time.

Representative Finck entered the House and was announced present.

HB 1031—(Consideration continued)

Mr. Williamson offered the following amendment to the bill:

Amend HB 1031, first printing, as follows:

- (1) Delete "five" and insert "the following" on line 17, page 1;
- (2) Delete "and" on line 22, page 1, and insert ", and the chairman of the State Antiquities Committee" following "Department" on line 23, page 1;
- (3) Delete "and" on line 35, page 1, and insert ", and the State Antiquities Committee" between "Department" and "in" on line 36, page 1;
- (4) Delete "and" on line 8, page 2, and insert ", and the State Antiquities Committee" following "Department" on line 9, page 2.

The amendment was adopted without objection.

HB 1031, as amended, was passed.

Mr. McAlister moved to reconsider the vote by which HB 1031 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 1401 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 1401, Concerning a system of regional historical libraries and depositories throughout Texas.

The bill was read third time and was passed.

Mr. McAlister moved to reconsider the vote by which HB 1401 was passed and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, May 17, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to SB 369 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Mauzy, Kennard, Jordan, Bridges and Kothmann.

I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to SB 537 and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Mauzy, Schwartz, Wallace, Bernal, and Patman.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 602 by 27 Yeas, 0 Nays.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to SB 593 by 29 Yeas, 0 Nays.

I am directed by the Senate to inform the House that the Senate has passed the following:

SB 992, By Herring, et al: Providing for the creation of the 199th and 200th Judicial Districts to be composed of the County of Travis; and declaring an emergency.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled bills and resolutions:

HB 172, Permitting two or more counties to create a medical examiners district and to jointly maintain the office of medical examiner.

HB 197, Relating to the Angleton-Danbury Hospital District.

HB 282, Relating to the display of certain artifacts and treasures.

HB 305, Relating to the jurisdiction of the District Court for the 5th Judicial District in Cass County over eminent domain proceedings.

HB 363, Relating to the creation of the County Court at Law of Angelina County.

HB 380, Authorizing the City of Amarillo Hospital District to contract with West Texas State University to coordinate their B. S. Degree in Nursing.

HB 389, Amending certain provisions of the Texas Business Corporation Act.

HB 425, Relating to the regulating of weapons that may be used for hunting deer in Marion County.

HB 428, Relating to the licensing of fish farms.

HB 446, Relating to abolishing the office of county superintendent of schools in certain counties.

HB 483, Relating to the creation, administration, etc., and funding of the Texas Council on Marine-Related Affairs.

HB 491, Relating to terms of office for members of the board of supervisors, etc., of the Willacy County Drainage District No. 2.

HB 492, Relating to terms of office for members of the board of supervisors, etc., of the Willacy County Drainage District No. 1.

HB 542, Relating to engine size of a motorcycle, etc., for which a special restricted operator's license may be issued to certain persons.

HB 615, Providing for issuance of distinctive license plates for certain disabled veterans and exemption from certain motor vehicle registration fees.

HB 616, Relating to the employment preference given certain veterans.

HB 625, Abolishing the office of county superintendent in certain counties and transferring duties to county judge.

HB 672, Authorizing a campus of Texas State Technical Institute in Nolan County.

HB 824, Relating to extending the regulatory authority of the Parks and Wildlife Commission over wildlife resources in Kendall County through a certain date.

HB 833, Relating to the salaries of assistants or investigators and stenographers in the 121st Judicial District.

HB 854, Allowing certain consolidated county-line independent school districts with less than 750 students to receive incentive aid payments.

HB 933, Relating to the control, supervision, and use of the State Cemetery.

HB 986, Including Fannin County under the provisions of the Uniform Wildlife Regulatory Act.

HB 1226, Relating to the compensation to be paid from county funds to District Court Judges serving in certain counties.

HB 1339, Creating the Cibolo Creek Municipal Authority.

HB 1403, Relating to the additional compensation allowed County and District Judges for service on the Angelina, Cherokee, and Nacogdoches County Juvenile Boards.

HB 1638, Relating to the compensation of the Judge of the District Court in the 143rd Judicial District.

HB 1858, To reduce the rate of the motor fuels tax; to reduce the excise tax on diesel fuel.

HCR 41, Concerning the Railpax System.

HCR 63, Memorializing Congress to convert Wesley Manor, Weslaco, Texas, into a Veterans Administration Hospital.

HCR 139, Commending Gordon M. Rubinett.

HCR 143, Recalling HB 272 from the Senate.

HCR 144, Making certain corrections in HB 989.

HB 199 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 199, Establishing the University of Houston at Clear Lake City.

The bill was read third time and was passed.

Mr. Swanson moved to reconsider the vote by which HB 199 was passed and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives Adams, Doran, Nabers, Clayton, and Patterson requested to be recorded as voting Nay on the passage of HB 199.

HB 318 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 318, Relating to compensation to which firemen and policemen in certain cities are entitled.

The bill was read third time and was passed.

Mr. Golman moved to reconsider the vote by which HB 318 was passed and to table the motion to reconsider.

The motion to table prevailed.

VOTE RECORDED

Mr. Clayton requested to be recorded as voting Nay on the passage of HB 318.

COMMITTEE MEETING

Mr. Wieting asked unanimous consent of the House that the Committee on School Districts be permitted to meet at this time.

There was no objection offered.

HB 1235 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,

HB 1235, A bill to be entitled An Act relating to certain exemptions from the sales tax; amending Section (P), Article 20.04, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

The bill was read second time.

Mr. Cavness offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend HB 1235 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. Section (P), Article 20.04, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

"(P) Vessels.

"(1) There are exempted from the taxes imposed by this Chapter the receipts from the sale, lease or rental of, or the storage, use or other consumption in this state of materials, equipment and machinery which enter into and become component parts of ships, vessels, including commercial fishing vessels, or barges, of fifty (50) tons displacement and over, and the receipts from the sale of such ships, vessels, or barges when sold by the builder thereof, and repair services, renovation, and/or conversion, including labor and materials to such ships, vessels or barges.

"(2) The taxes imposed by this Chapter shall not apply to the receipts from the sale, lease or rental of, or the storage, use or other consumption in this state of materials and supplies purchased by the owners or operators of ships or vessels operating exclusively in foreign or interstate coastwise commerce, where such materials and supplies are loaded upon the ship or vessel for use or consumption in the maintenance and operation thereof; or to materials and supplies used in the repair of such ships and vessels where such materials and supplies enter into and become a component part of such ships or vessels.

"(3) The taxes imposed by this Chapter shall not apply to the receipts from the sale, lease or rental of, or the storage, use or other consumption in this state of drilling equipment used in the exploration for or production of oil, gas, sulphur, or other minerals when such equipment is built for exclusive use outside the boundaries of the state and is removed forthwith from the state upon completion."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The committee amendment was adopted without objection.

HB 1235, as amended, was passed to engrossment.

Mr. Murray moved to reconsider the vote by which HB 1235 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives Adams, Nabers, and Jungmichel requested to be recorded as voting Nay on the passage to engrossment of HB 1235.

BILL SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled bill:

SB 413, Creating Long Island Utility District of Cameron County.

MOTION TO PLACE
HB 1235 ON THIRD READING

Mr. Murray moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 1235 be placed on its third reading and final passage.

(Mr. Clayton in the Chair)

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—97

Agnich	Dramberger	Kilpatrick	Sanchez
Allen, Joe	Finnell	Kost	Santiesteban
Angly	Finney	Kubiak	Schulle
Atwell	Foreman	Lemmon	Semos
Atwood	Gammage	Ligarde	Sherman
Baker	Garcia	Lombardino	Silber
Beckham	Golman	Longoria	Slack
Blanton	Grant	Lovell	Smith
Blythe	Hale	McAlister	Solomon
Boyle	Hanna, Joe	McKissack	Spurlock
Braecklein	Harding	Moncrief	Stewart
Burgess	Hawkins	Moore, A.	Stroud
Calhoun	Hawn	Moore, G.	Swanson
Carrillo	Haynes	Moore, T.	Tarbox
Cates	Heatly	Murray	Traeger
Cavness	Hendricks	Nabers	Truan
Christian	Hilliard	Nelms	Tupper
Clayton	Holmes, T.	Newton	Uher
Coats	Hubenak	Ogg	Von Dohlen
Cobb	Hull	Parker, W.	Ward
Cole	Johnson	Presnal	Wayne
Craddick	Jones, D.	Price	Wieting
Daniel	Jones, E.	Rodriguez	Williams
Davis, H.	Jungmichel	Salem	Williamson
			Wyatt

Nays—43

Adams	Bass, B.	Bigham	Braun
Allen, John	Bass, T.	Bowers	Bynum

Caldwell	Graves	Lee	Poerner
Clark	Hannah, John	Lewis	Poff
Davis, D.	Harris	Mengden	Reed
Denton	Head	Moreno	Rosson
Doyle	Holmes, Z.	Nichols	Salter
Earthman	Howard	Niland	Short
Farenthold	Ingram	Nugent, J.	Vale
Finck	Jones, G.	Patterson	Wolff
Floyd	Kaster	Pickens	

Absent

Cruz	Doran	Neugent, D.
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Absent-Excused

Allred	Parker, C.	Simmons	Slider
Orr	Shannon		

HCR 147—REFERRED TO COMMITTEE

(Granting M. C. Winters, Inc. and the Austin Bridge Company permission to sue the state)

Mr. Schulle offered the following resolution:

HCR 147

Whereas, It is alleged that M. C. Winters, Inc., home office in Johnson City, Texas, and the Austin Bridge Company, home office in Dallas, Texas, entered into a joint contract with the State Highway Department in connection with Interstate Highway 30, Project I30-1 (14)011; and

Whereas, It is further alleged that only a portion of the contract price has been paid by the State Highway Department to M. C. Winters, Inc., and the Austin Bridge Company; and

Whereas, M. C. Winters, Inc., and the Austin Bridge Company desire to bring suit against the State Highway Department and the State of Texas for the balance of the contract price and any other relief to which they may be entitled; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That

(1) M. C. Winters, Inc., and the Austin Bridge Company be granted permission to sue the State of Texas and the State Highway Department in any court of competent jurisdiction where venue may be proper;

(2) in the event suit is filed, service of citation and other required process shall be made upon the Attorney General of the State of Texas and upon the Chairman of the State Highway Commission; and

(3) the suit shall be tried as other civil suits; and, be it further

Resolved, That nothing in this Resolution may be construed as an ad-

mission by the State of Texas, or by any of its employees, agents, departments, agencies, or political subdivisions, of liability or of the truth of any allegation asserted by the claimant, but the alleged cause of the action must be proved under the laws of this state as in other civil suits; and, be it further

Resolved, That nothing in this Resolution may be construed as a waiver of any defense, of law or fact, available to the State of Texas or to any of its employees, agents, departments, agencies, or political subdivisions, but every defense is specifically reserved.

The resolution was referred to the Committee on Judiciary.

HSR 490—REFERRED TO COMMITTEE

(Creating an interim committee to study electronic communication of the House)

Mr. McAlister offered the following resolution:

HSR 490

Whereas, An efficient system of electronic communication is essential to the operation of a modern legislative body; and

Whereas, The electronic communication system presently used in the Texas House of Representatives needs to be studied to determine if it meets the needs of the House; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature of the State of Texas hereby create a special interim committee to study the present processes of electronic communication of the House, including radio, television, tape recording, and telephonic facilities, and to study methods of improving present broadcast, telecast, and recording of House activities for the dissemination of information electronically by the House Members; and, be it further

Resolved, That the Speaker of the House appoint as members of the committee five Members of the House of Representatives and the four public members, as follows: one member of the television industry, one member of the radio industry, one representative of Southwestern Bell Telephone Company, and the president of the Texas Association of Broadcasters; and, be it further

Resolved, That the committee may call upon any state agency or department as the committee deems necessary for assistance and advice; and, be it further

Resolved, That the staff of the Texas Legislative Council be requested to assist the committee in this study; and, be it further

Resolved, That the actual and necessary expenses of the committee, both legislative and public members, and other necessary expenses of the committee shall be paid from the Expense Fund of the House of Representatives; that the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Commit-

tee, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures shall be obtained from the House Administration Committee; and, be it further

Resolved, That this committee shall make its complete report, including findings and recommendations, with drafts of any proposed legislation, to the 63rd Legislature at its regular session in January 1973, and that five copies of the completed study shall be filed in the Legislative Reference Library and five copies filed in the office of the Texas Legislative Council. Following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

The resolution was referred to the Committee on Resolutions and Interim Activities.

HSR 494—REFERRED TO COMMITTEE

(Creating an interim committee for the Coordination of State and Federal Air Quality Standards)

Mr. Niland offered the following resolution:

HSR 494

Whereas, With the onward rush of technology, an ever-increasing population in concentrated areas, constant growth in the production and consumption of goods and services, burgeoning demands for heat and electric power produced by burning fossil fuels, and larger and larger numbers of motor vehicles on our streets and highways, new and more complex dimensions are being added to the problems of air pollution; and

Whereas, Viewing the dangers of polluted air to the health of Texas citizens, as well as pollution damages to property in urban, agricultural, and recreational areas, the Texas Legislature in 1965 created the Texas Air Control Board by enacting the Clean Air Act, a law which has since been reviewed and strengthened by the 60th and 61st Legislatures in 1967 and 1969; and

Whereas, At the federal level the Air Quality Act of 1967 provided a blueprint for a systematic effort to deal with air pollution problems on a regional basis, calling for coordinated action at all levels of government and among all segments of industry; and

Whereas, The United States Department of Health, Education and Welfare was charged with defining the broad atmospheric areas of the nation and designating specific air quality control regions; the department was also given the duty of developing and publishing air pollution criteria indicating the extent to which air pollution is harmful to health and damaging to property, as well as detailing information on the cost and effectiveness of techniques for preventing and controlling air pollution; and

Whereas, Following development of air quality criteria and data on control technology for a pollution or class of pollutants by the Department of Health, Education, and Welfare, states are expected to begin developing air quality standards and plans for implementation of these standards which will be developed and applied on a regional basis, with each

state developing intrastate standards and, where a region includes parts of two or more states, standards for its portion of the region; and

Whereas, The coordination of air quality standards promulgated by the Department of Health, Education, and Welfare for the federal air quality regions and those established by the Texas Air Control Board is one of the most important facets of pollution control in Texas, and it is imperative that the Texas House of Representatives take action that will facilitate every effort for the abatement and control of air pollution; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature by this Resolution create a special interim Committee for the Coordination of State and Federal Air Quality Standards, which will make a complete and detailed study of this important problem; and, be it further

Resolved, That the Speaker of the House shall appoint five Members of the House of Representatives, including one designated as chairman, to serve on the interim study committee; and, be it further

Resolved, That the staff of the Texas Legislative Council be requested to serve as staff for the study committee; and, be it further

Resolved, That the operating expenses of the committee shall be paid from the Expense Fund of the House of Representatives, and that committee members shall be reimbursed for their actual expenses incurred in carrying out the provisions of this Resolution; the committee shall prepare a budget for its operating expenses, which shall be submitted to the House Administration Committee, and no expenditures shall be made until the budget has been approved. Prior approval of nonbudgeted expenditures must also be obtained from the House Administration Committee; and, be it further

Resolved, That the committee shall make its complete report, including findings and recommendations and drafts of any legislation deemed necessary, to the 63rd Legislature when it convenes in January 1973. Five copies of the completed report shall be filed in the Legislative Reference Library and five copies shall be filed in the office of the Texas Legislative Council; following official distribution of the committee report, all remaining copies shall be deposited with the Legislative Reference Librarian.

The resolution was referred to the Committee on Resolutions and Interim Activities.

HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read first time and referred to Committees, as follows:

By Atwell:

HB 1868, A bill to be entitled An Act authorizing governing bodies of cities and counties to impose a tax on the sale, preparation and service of certain alcoholic beverages; adding a Section 20e to Article I, Texas Liquor Control Act, as amended; and declaring an emergency.

Referred to Committee on Liquor Regulation.

By Ingram:

HB 1869, A bill to be entitled An Act relating to the compensation of the District Attorney of the 8th Judicial District and to an investigator to be employed by the district attorney; relating to payment of office expenses of the district attorney; amending Section 1, Chapter 251, Acts of the 57th Legislature, Regular Session, 1961 (Article 325b, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

SENATE BILLS ON FIRST READING

The following Senate Bills were today laid before the House, read first time and referred to Committees, as follows:

SB 4 to the Committee on Governmental Affairs and Efficiency.

SB 189 to the Committee on Public Education.

SB 238 to the Committee on Governmental Affairs and Efficiency.

SB 308 to the Committee on Criminal Jurisprudence.

SB 578 to the Committee on Insurance.

SB 624 to the Committee on State Affairs.

SB 647 to the Committee on Governmental Affairs and Efficiency.

SB 703 to the Committee on Judiciary.

SB 862 to the Committee on Urban Affairs.

SB 873 to the Committee on Interstate Cooperation.

SB 877 to the Committee on State Affairs.

SB 878 to the Committee on Governmental Affairs and Efficiency.

SB 886 to the Committee on Governmental Affairs and Efficiency.

SB 911 to the Committee on Urban Affairs.

SB 915 to the Committee on Criminal Jurisprudence.

SB 918 to the Committee on Higher Education.

SB 942 to the Committee on Higher Education.

SB 962 to the Committee on State Affairs.

SB 965 to the Committee on Counties.

SB 966 to the Committee on Counties.

SB 967 to the Committee on Parks and Wildlife.

SB 968 to the Committee on Higher Education.

SB 971 to the Committee on Public Health.

SB 974 to the Committee on Counties.

SB 980 to the Committee on Counties.

SB 981 to the Committee on Counties.

SB 982 to the Committee on Urban Affairs.

SB 983 to the Committee on Conservation and Reclamation.

SB 984 to the Committee on Counties.

SB 989 to the Committee on Judiciary.

SB 1008 to the Committee on Counties.

(Speaker in the Chair)

HB 22 ON FINAL PASSAGE

The Speaker laid before the House, as postponed business, on its final passage,

HB 22, Concerning preservation of courthouses with historical value.

The bill was read third time on today and was postponed until this time.

Mr. Rosson offered the following amendment to the bill:

Amend HB 22 by striking the words "alter, damage" on lines 15 and 21, page 1 thereof and substituting the word "demolish" in place of such stricken words on each line 15 and 21 thereof.

The amendment was adopted without objection.

HB 22, as amended, was passed by the following vote:

Yeas—126

Agnich	Braecklein	Daniel	Gammage
Allen, Joe	Braun	Davis, D.	Garcia
Allen, John	Burgess	Davis, H.	Golman
Angly	Bynum	Denton	Grant
Atwell	Caldwell	Doyle	Graves
Baker	Cates	Dramberger	Hale
Bass, B.	Cavness	Earthman	Hanna, Joe
Bass, T.	Clark	Farenthold	Harding
Beckham	Clayton	Finck	Harris
Bigham	Coats	Finnell	Hawkins
Blanton	Cole	Finney	Hawn
Blythe	Craddick	Floyd	Haynes
Bowers	Cruz	Foreman	Head

Heatly	Lombardino	Patterson	Spurlock
Hendricks	Longoria	Pickens	Stewart
Hilliard	Lovell	Poff	Stroud
Holmes, Z.	McAlister	Presnal	Swanson
Howard	McKissack	Price	Tarbox
Hubenak	Mengden	Reed	Traeger
Hull	Moncrief	Rodriguez	Truan
Johnson	Moore, A.	Rosson	Tupper
Jones, D.	Moore, G.	Salem	Vale
Jones, E.	Moore, T.	Sanchez	Von Dohlen
Jones, G.	Moreno	Santiesteban	Ward
Jungmichel	Murray	Schulle	Wayne
Kaster	Nelms	Semos	Wieting
Kilpatrick	Neugent, D.	Sherman	Williams
Kost	Nichols	Short	Williamson
Lee	Niland	Silber	Wolff
Lemmon	Nugent, J.	Slack	Wyatt
Lewis	Ogg	Smith	
Ligarde	Parker, W.	Solomon	

Nays—15

Adams	Christian	Ingram	Poerner
Boyle	Cobb	Kubiak	Salter
Calhoun	Hannah, John	Nabers	Uher
Carrillo	Holmes, T.	Newton	

Absent

Atwood Doran

Absent-Excused

Allred	Parker, C.	Simmons	Slider
Orr	Shannon		

Mr. McAlister moved to reconsider the vote by which HB 22 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 460—REQUEST OF SENATE GRANTED

On motion of Mr. Delwin Jones, the House granted the request of the Senate for the appointment of a Conference Committee on SB 460.

SB 460—APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on SB 460:

Representatives Delwin Jones, Clayton, Short, Williamson, and Aubry Moore.

SB 537—REQUEST OF SENATE GRANTED

On motion of Mr. Cobb, the House granted the request of the Senate for the appointment of a Conference Committee on SB 537.

SB 537—APPOINTMENT OF CONFERENCE
COMMITTEE

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on SB 537:

Representatives Cobb, Wayne, Walt Parker, Finnell, and Stroud.

HB 614 WITH SENATE AMENDMENTS

Mr. Williams called up with Senate Amendments for consideration at this time,

HB 614, Exempting totally disabled veterans from certain drivers license fees.

On motion of Mr. Williams, the House concurred in the Senate Amendments to HB 614.

Mr. Williams moved to reconsider the vote by which the House concurred in the Senate Amendments to HB 614 and to table the motion to reconsider.

The motion to table prevailed.

HB 614—TEXT OF SENATE AMENDMENTS

Amend Section 19a by deleting the words "Highway Department" and substituting the words "Department of Public Safety" in lieu thereof.

Amend caption to conform to body of bill.

HB 372 WITH SENATE AMENDMENTS

Mr. Poerner called up with Senate Amendments for consideration at this time,

HB 372, Concerning rules and regulations of the Parks and Wildlife Commission in certain counties.

On motion of Mr. Poerner, the House concurred in the Senate Amendments to HB 372 by the following vote:

Yeas—142

Adams	Blythe	Clark	Dramberger
Agnich	Bowers	Clayton	Earthman
Allen, Joe	Boyle	Coats	Farenthold
Allen, John	Braecklein	Cobb	Finck
Angly	Braun	Cole	Finnell
Atwell	Burgess	Craddick	Finney
Atwood	Bynum	Cruz	Floyd
Baker	Caldwell	Daniel	Foreman
Bass, B.	Calhoun	Davis, D.	Gammage
Bass, T.	Carrillo	Davis, H.	Garcia
Beckham	Cates	Denton	Golman
Bigham	Cavness	Doran	Grant
Blanton	Christian	Doyle	Graves

Hale	Kaster	Nichols	Slack
Hanna, Joe	Kilpatrick	Niland	Smith
Hannah, John	Kost	Nugent, J.	Solomon
Harding	Kubiak	Ogg	Spurlock
Harris	Lee	Parker, W.	Stewart
Hawkins	Lemmon	Patterson	Stroud
Hawn	Lewis	Pickens	Swanson
Haynes	Ligarde	Poerner	Tarbox
Head	Lombardino	Poff	Traeger
Heatly	Longoria	Presnal	Truan
Hendricks	Lovell	Price	Tupper
Hilliard	McAlister	Reed	Uher
Holmes, T.	McKissack	Rodriguez	Vale
Holmes, Z.	Mengden	Rosson	Von Dohlen
Howard	Moncrief	Salem	Ward
Hubenak	Moore, A.	Salter	Wayne
Hull	Moore, G.	Sanchez	Wieting
Ingram	Moreno	Santiesteban	Williams
Johnson	Murray	Schulle	Williamson
Jones, D.	Nabers	Semos	Wolff
Jones, E.	Nelms	Sherman	Wyatt
Jones, G.	Neugent, D.	Short	
Jungmichel	Newton	Silber	

Present—Not Voting

Moore, T.

Absent-Excused

Allred	Parker, C.	Simmons	Slider
Orr	Shannon		

Mr. Poerner moved to reconsider the vote by which the House concurred in the Senate Amendments to HB 372 and to table the motion to reconsider.

The motion to table prevailed.

HB 372—TEXT OF SENATE AMENDMENTS

Amend HB 372 by placing a comma after the word adoption on line 36, and inserting the following: "and notification to the respective counties".

Amend Section 1 of HB 372 by deleting all of the subsection (b) enclosed in quotes and substituting in lieu thereof the following:

"b. In Bandera, Coke, Crockett, Dimmitt, Edwards, Frio, Hays, Kerr, Kimble, Kinney, Lampasas, Medina, Menard, Reagan, Real, San Saba, Schleicher, Sutton, Uvalde, Val Verde, and Zavala Counties, and in Lamb County with regard to quail season only, orders, rules and regulations adopted in accordance with Section 8 of this Act shall not be effective as provided in Section 9 unless and until they have been approved by the Commissioners Court of each of such counties. The Commissioners Court in each county named in this subsection shall approve or disapprove the Commission's rule, regulation or order or part of order, at its next regular meeting occurring more than five (5) days after adoption by the Commission and notification of the counties cited herein. If approved, the rule,

regulation or order becomes effective at the time specified in the proclamation by the Commission. If disapproved, for any of the above named counties, no public hearing on a similar proposal for the county may be held for a period of six (6) months unless a majority of said Commissioners Court certifies to the Commission that there has been some material change in the surrounding circumstances which necessitates the holding of a public hearing within the six month period. If the Commissioners Court disapproves the rules, regulations or orders, or parts of orders, promulgated by the Commission, then the taking of the wildlife resources of the county is regulated by rules of prior year until such time as the Commissioners Court approves rules, regulations, or orders subsequently promulgated by the Commission."

Amend caption to conform to body of bill.

SB 379—REQUEST OF SENATE GRANTED

On motion of Mr. Cruz, the House granted the request of the Senate for the appointment of a Conference Committee on SB 379.

**SB 379—APPOINTMENT OF CONFERENCE
COMMITTEE**

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on SB 379:

Representatives Cruz, Williams, Nelms, Ogg, and Swanson.

Representative Slider entered the House and was announced present.

HB 928 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,

HB 928, A bill to be entitled An Act relating to the taxation of the sale, preparation, and service of certain alcoholic beverages and providing penalties; amending Section 21, Article I, Texas Liquor Control Act, as amended; adding a Section 20d to Article I, Texas Liquor Control Act, as amended; amending Section (d), Article 20.04, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; repealing Subsection 6b, Section 15(e), Article I, Texas Liquor Control Act (Article 666-15(e), Vernon's Texas Penal Code); and declaring an emergency.

The bill was read second time.

Mr. Hale offered the following amendment to the bill:

Amend HB 928 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1. Article I, Texas Liquor Control Act, as amended (Articles 666-1 through 666-57, Vernon's Texas Penal Code), is amended by adding a Section 20d, to read as follows:

"Section 20d. (a) The word 'permittee' as used in this section, means a Mixed Beverage Permittee, a Mixed Beverage Late Hours Permittee, a Daily Temporary Mixed Beverage Permittee, a Private Club Registration Permittee, or a Private Club Late Hours Permittee.

"(b) The Permittee shall pay the sales, use and excise tax imposed by Chapter 20, Title 122A, Revised Civil Statutes of Texas, 1925, on all alcoholic beverages purchased by such permittee whether for resale or not and shall not be entitled to give a resale certificate for the purchase of alcoholic beverages.

"(c) The Permittee shall collect the sales, use and excise tax imposed by Chapter 20, Title 122A, R.C.S. of Texas, 1925, on all sales made and all services rendered for which consideration passes to such permittee, and shall report and pay same to the Comptroller pursuant to the provisions of Chapter 20, Title 122A, R.C.S.

"(d) For the convenience of the Comptroller in examining tax accounts of Mixed Beverage Permittees and Private Club Permits, it is hereby required that each such permittee purchase separately and individually for each licensed premises any and all alcoholic beverages to be sold or served on the licensed premises.

"(e) No Mixed Beverage Permit, Daily Temporary Mixed Beverage Permit, or Private Club Registration Permit may ever be issued to any of the following:

"(1) A person whose permit was cancelled because of a violation of Subsections (b) or (c) of this section or of Subsection (b), Section 20c, of this Article;

"(2) A person who held an interest of any kind in a permit that was cancelled because of a violation of Subsections (b) or (c) of this section or of Subsection (b), Section 20c of this Article;

"(3) A person who held 50 percent or more of the stock, either in his own name or by any other means, of a corporation whose permit was cancelled because of a violation of Subsection (b), Section 20c, of this Article or Subsections (b) or (c) of this section if the acts on which the cancellation was based occurred while the stock was held;

"(4) A corporation if any person holding 50 percent or more of the stock, either in his own name or by any other means, is disqualified from obtaining a permit in his individual capacity because of a violation of Subsection (b), Section 20c, of this Article or Subsections (b) or (c) of this section; or

"(5) A person residentially domiciled with a person who is barred from obtaining a permit because of a violation of Subsections (b) or (c) of this section or of Subsection (b), Section 20c, of this Article.

"(f) For the purposes of Subdivisions (3) and (4) of Subsection (i) of this section, a person is treated as holding 50 percent or more of the stock in a corporation if the total amount of stock owned by himself and all persons who are his parents, children, or siblings, or with whom he is residentially domiciled, equals or exceeds 50 percent of the stock in the corporation.

"(g) The provisions of this section shall be effective on and after June 1, 1971."

Sec. 2. Article 20.01, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Section (V) to read as follows:

"(V) Taxable Services. 'Taxable services' means the sale, preparation or serving of beverages, alcoholic or otherwise, including all service charges, by a Mixed Beverage Permittee, a Mixed Beverage Late Hours Permittee, A Daily Temporary Mixed Beverage Permittee, a Private Club Registration Permittee or a Private Club Late Hours Permittee."

Sec. 3. Section (W), Article 20.01, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

"(W) Taxable Items. 'Taxable items' means tangible personal property and taxable services."

Sec. 4. Section 21, Article I, Texas Liquor Control Act, as amended (Article 666-21, Vernon's Texas Penal Code), is amended to read as follows:

"Section 21.

"(1) There is hereby levied and imposed on the first sale in addition to the other fees and taxes levied by this Act the following:

"(a) A tax of \$1.95 per gallon on each gallon of distilled spirits, providing the minimum tax on any package of distilled spirits shall be \$0.122 if the package contains one-half pint, and providing further that the minimum tax on any package of distilled spirits shall be \$0.05 if the package contains 2 ounces or less. Should packages containing less than ½ pint but more than 2 ounces ever be legalized in Texas, the minimum tax on any such package of distilled spirits shall be \$0.122.

"(b) A tax of \$0.171 on each gallon of vinous liquor that does not contain over 14 percent of alcohol by volume.

"(c) A tax of \$0.343 on each gallon of vinous liquor containing more than 14 percent of alcohol by volume.

"(d) A tax of \$0.429 on each gallon of artificially carbonated and natural sparkling vinous liquor.

"(e) A tax of \$0.165 on each gallon of malt liquor containing alcohol in excess of four percent by weight.

"(2) The term 'first sale' as used in Article I of this Act shall be construed in compliance with whichever of the following rules is applicable:

"(a) As to liquor, other than ale or malt liquor, imported into this state by the holder of a wholesaler's permit authorizing such importation, the term 'first sale' shall mean the first actual sale by the holder of any wholesaler's permit to the holder of any other permit authorizing the retail sale of the beverage to be taxed, or to the holder of a Local Distributor's Permit.

"(b) As to any liquor, other than ale or malt liquor, distilled or produced in or brought into this state by any person, groups of persons, or legal entity other than a holder of a permit authorizing importation, the term 'first sale' shall mean and include the first sale, possession, distribution, or use in this state of any and all liquor refined, blended, manufactured, imported into, or in any other manner produced or acquired, possessed, or brought into this state.

"(c) As to ale and malt liquor, the term 'first sale' shall be given the meaning specified in Section 33, Article II, Texas Liquor Control Act.

"(3) Any holder of a permit authorizing the importation into this state of any liquor, other than ale and malt liquor, shall pay the tax or taxes levied thereon by the laws of this state by the reporting system under bond in compliance with the following provisions:

"(a) The Commission shall require of each holder of a permit authorizing the importation into this state of liquor, other than ale and malt liquor, a bond or bonds executed by the permit holder as principal and a surety company duly qualified and doing business in this state as surety, and said bond or bonds shall be made payable to the State of Texas and conditioned as the Commission may require and approved by the Attorney General of Texas as to form. Said bond or bonds shall be in such amount as will adequately protect the State of Texas against the anticipated tax liability on the principal during any six (6) weeks' period.

"(b) The tax on liquor, other than ale or malt liquor imported into this state, shall become due and payable and shall be paid by the permit holder on or before the 15th day of the month following the first sale. As to ale and malt liquor, the tax shall become due and payable as provided in Section 33, Article II, Texas Liquor Control Act.

"(c) The tax shall be computed in accordance with the applicable provision or provisions in Subsection (1) of this Section 21, Article I, Texas Liquor Control Act, and remittance therefor made payable to the State Treasurer shall be due at the office of the Alcoholic Beverage Commission in Austin, Travis County, Texas, on or before the 15th day of the month due less two percent (2%) of the amount due which shall be withheld by the permit holder for the keeping of records, furnishing of bonds, and properly accounting for the remittance of the tax due; provided, however, that no allowance shall be granted or permitted when the tax is delinquent at the time of payment.

"(d) Such sworn statements of taxes due as may be required by the Commission, and remittances therefor made payable to the State Treasurer, shall be forwarded to the Commission each month not later than the due date set out herein. All such remittances shall be turned over by the Commission to the State Treasurer for the allocation in conformity with the terms of Section 46, Article I, Texas Liquor Control Act.

"(e) If any permit holder, in computing and paying the tax due, through oversight, mistake, error or miscalculation, has paid more tax than is legally due, the permit holder who paid such excess tax shall be entitled to a refund thereof, and a claim for such refund may be made at the time and in the manner prescribed by the Commission or Administrator, and such excess tax shall be refunded to the permit holder who has paid the same, or credit may be allowed on future tax payments. Refunds for overpayment

of tax may be made by the Commission from the revenues derived from the collection of the tax before the same has been allocated, and so much of such funds as may be necessary is hereby appropriated for that purpose.

"(f) The permit holder shall report to the Commission each receipt of shipment of liquor, other than ale and malt liquor, for sale within this state, under the provisions of this Act, and shall prepare and furnish any such further information and such reports as may be required by rules and regulations of the Commission.

"(g) In any suit brought to enforce the collection of any tax owed by a permit holder, a certificate by the Commission or Administrator showing the deficiency shall be prima facie evidence of the levy of the tax or the delinquency of the amount of tax and penalty set forth therein and compliance by the Commission with all provisions of this Act in relation to the computation and levy of the tax.

"(4) It is not intended that the tax levied in Subsection (1) of this Section 21 of Article I of the Texas Liquor Control Act shall be collected on liquor shipped out of this state for consumption outside this state or sold aboard ship for ship's supplies, and the Commission shall provide forms for obtaining exemption from or credit for such taxes and shall provide by rule and regulation for equitable and final disposition of any tax credit brought about by such payment of any such unintended or excess tax.

"(5) Unless the liquor is exempted from tax under the terms of Subsection (4) of this Section 21 or unless payment has been or is to be made by a permit holder in conformity with the provisions of Subsection (3) of this Section 21, or unless payment has been or is to be made by the permit holder in conformity with Section 21 1/8 C, Article I, Texas Liquor Control Act, the tax levied under Subsection (1) of this Section 21, Article I, Texas Liquor Control Act, shall be paid by affixing a stamp or stamps on each bottle or container of liquor. Said stamps shall be affixed in strict accordance with any rule and regulation promulgated pursuant to this Act. The Commission, however, may, in any situation deemed by it to create an emergency or other circumstance which in its judgment would make it impractical to require the affixing of stamps, by order prescribe special rules for the payment of the tax in the specific situation under consideration.

"(6) Every holder of a permit authorizing the wholesaling of liquor, upon receipt of a shipment of liquor for sale within this state, under the provisions of this Act, shall prepare and furnish such information and reports as may be required by rules and regulations of the Commission.

"(7) Any person, persons, or association who violates any portion of this Section 21 shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000) or by imprisonment in the county jail for not less than thirty (30) days nor more than one (1) year.

"(8) The provisions of this section shall be effective on and after July 1, 1971, and the taxes herein imposed shall apply to the 'first sale,' as herein defined, occurring on or after July 1, 1971."

Sec. 5. Section 23, Article II, Texas Liquor Control Act, as amended

(Article 667-23, Vernon's Texas Penal Code), is amended to read as follows, effective July 1, 1971:

"Sec. 23. There is hereby levied and assessed a tax at the rate of Five Dollars (\$5) per barrel on the first sale of all beer manufactured in Texas and on the importation of all beer imported into this state."

Sec. 6. Section 15(e), Article I, Texas Liquor Control Act, as amended, (Article 666-15(e), Vernon's Texas Penal Code), is amended by rewriting paragraph (a) of Subsection 1 so as hereafter to read as follows:

"(a) 'Private Club' shall mean an association of persons, whether unincorporated or incorporated under the laws of the State of Texas, for the promotion of some common object and whose members must be passed upon and elected as individuals, by a committee or board made of members of the club. No employee of the club shall be eligible to serve on such committee or board, and no application for membership shall be approved until said application has been filed with the chairman of the membership committee, or the board, as the case may be and approved by such chairman. Such club shall own, lease or rent a building, or space in a building of such extent and character as in the judgment of the Texas Alcoholic Beverage Commission, is suitable and adequate for its members and their guests and shall provide regular food service adequate for its members and their guests. Its aggregate annual membership fees or dues or other income, exclusive of any proceeds from disposition of alcoholic beverages (themselves not for service thereof), shall be sufficient to defray the annual rental of its leased or rented premises, or, if such premises are owned by the club, shall be sufficient to meet the taxes, insurance and repairs and the interest on any mortgage thereof. Its affairs and management shall be conducted by a board of directors, executive committee or similar body chosen by the members at their annual meeting. No member or any officer, agent or employee of the club shall be paid or, directly or indirectly, shall receive in the form of salary or other compensation any money from the disposition of any alcoholic beverages (themselves not for service thereof), to the members of the club and guests introduced by members.

Guests shall be limited to those who accompany a member onto the premises or for whom the member has made prior arrangements with the management of the club. No guest shall be permitted to pay, by cash or otherwise, for any service of alcoholic beverage, but any such service rendered to a guest by the club must be billed by the club to the member sponsoring such guest.

The Commission shall promulgate such rules and regulations as may be necessary to implement the provisions of this subsection."

Sec. 7. Subsection (12), Section 15(e), Article I, Texas Liquor Control Act, as amended (Article 666-15(e) (12), Vernon's Texas Penal Code), is amended so as hereafter to read as follows:

"(12) The permit fee imposed by Subsection 6, Section 15(e), Article I, Texas Liquor Control Act, as amended, shall not apply to any fraternal or veterans' organization any part of whose property is exempt, or would be exempt, from taxation under Article 7150, Revised Civil Statutes of Texas, 1925, as now or hereafter amended. All other provisions of Section 15(e) of Article I, Texas Liquor Control Act, shall apply to any such organization from and after September 1, 1971."

Sec. 8. The provisions of this Act shall be severable. If any section, subsection, or other portion of this Act is ever declared unconstitutional or void for any reason, such declaration shall not affect the remaining portions hereof, but the Legislature specifically declares that it would have passed the remainder of this Act notwithstanding the absence of such portions declared to be unconstitutional or void.

Sec. 9. Subsection 6b, Section 15(e), Article I, Texas Liquor Control Act, as amended (Article 666-15(e), Vernon's Texas Penal Code), Subsections A. and B. of Section 21 1/8, Article I, Texas Liquor Control Act, as amended (Article 666-21 1/8, Vernon's Texas Penal Code), and Article 8 of HB 730, 62nd Legislature, Regular Session, which amends Section 23, Article II, Texas Liquor Control Act, as amended (Article 667-23, Vernon's Texas Penal Code), are hereby repealed; and Subsection C. of Section 21 1/8, Article I, Texas Liquor Control Act, as amended (Article 666-21 1/8, Vernon's Texas Penal Code), is expressly intended to remain in force.

Sec. 10. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Mr. Adams raised a point of order against further consideration of the Hale amendment on the grounds that it changes the intent of the bill.

The Speaker overruled the point of order.

Mr. John Hannah offered the following amendment to the Hale amendment:

Amend Sec. 23 on page 8 of Hale substitute by striking the words "Five Dollars (\$5)" and inserting in lieu thereof "Six Dollars (\$6)."

Mr. Hale moved to table the above amendment.

A record vote was requested.

The motion to table prevailed by the following vote:

Yeas—99

Agnich	Braun	Earthman	Hawn
Allen, Joe	Bynum	Farenthold	Hilliard
Allen, John	Carrillo	Finck	Hubenak
Angly	Cavness	Finney	Hull
Atwell	Christian	Floyd	Johnson
Atwood	Clark	Foreman	Jones, D.
Baker	Coats	Gammage	Jones, E.
Bass, T.	Cobb	Garcia	Jungmichel
Bigham	Craddick	Golman	Kaster
Blanton	Cruz	Graves	Kilpatrick
Blythe	Davis, D.	Hale	Kost
Bowers	Doran	Hanna, Joe	Lee
Boyle	Doyle	Harding	Lemmon
Braecklein	Dramberger	Harris	Lewis

Ligarde	Nabers	Rodriguez	Stroud
Lombardino	Nelms	Salem	Swanson
Longoria	Neugent, D.	Sanchez	Traeger
McKissack	Newton	Santiesteban	Truan
Mengden	Niland	Schulle	Tupper
Moncrief	Nugent, J.	Semos	Vale
Moore, A.	Ogg	Sherman	Von Dohlen
Moore, G.	Parker, W.	Silber	Williams
Moore, T.	Patterson	Slack	Wolff
Moreno	Pickens	Smith	Wyatt
Murray	Poerner	Spurlock	

Nays—42

Adams	Finnell	Jones, G.	Slider
Bass, B.	Grant	Kubiak	Solomon
Burgess	Hannah, John	McAlister	Stewart
Caldwell	Hawkins	Nichols	Tarbox
Calhoun	Head	Poff	Uher
Cates	Heatly	Presnal	Ward
Clayton	Hendricks	Price	Wayne
Cole	Holmes, T.	Reed	Wieting
Daniel	Holmes, Z.	Rosson	Williamson
Davis, H.	Howard	Salter	
Denton	Ingram	Short	

Absent

Beckham	Haynes	Lovell
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Absent-Excused

Allred	Parker, C.	Shannon	Simmons
Orr			

The Hale amendment was then adopted.

VOTES RECORDED

Representatives Cayness and Adams requested to be recorded as voting Nay on the adoption of the amendment by Mr. Hale to HB 928.

HB 928, as amended, was passed to engrossment.

Mr. Hale moved to reconsider the vote by which HB 928 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives Williamson and Kubiak requested to be recorded as voting Nay on the passage to engrossment of HB 928.

MOTION TO PLACE
HB 928 ON THIRD READING

Mr. Hale moved that the constitutional rule requiring bills to be read

on three several days be suspended and that HB 928 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—111

Agnich	Finney	Lemmon	Salem
Allen, Joe	Foreman	Lewis	Sanchez
Allen, John	Gammage	Ligarde	Santiesteban
Angly	Garcia	Lombardino	Schulle
Atwell	Golman	Longoria	Semos
Atwood	Hale	Lovell	Sherman
Baker	Hanna, Joe	McAlister	Short
Bigham	Harding	McKissack	Silber
Blanton	Harris	Mengden	Slack
Blythe	Hawkins	Moncrief	Slider
Bowers	Hawn	Moore, A.	Smith
Boyle	Haynes	Moore, G.	Solomon
Braecklein	Heatly	Moore, T.	Spurlock
Braun	Hendricks	Moreno	Stroud
Bynum	Hilliard	Murray	Swanson
Caldwell	Holmes, T.	Nabers	Tarbox
Calhoun	Holmes, Z.	Nelms	Traeger
Carrillo	Hubenak	Neugent, D.	Truan
Clark	Hull	Newton	Tupper
Clayton	Ingram	Nichols	Uher
Cobb	Johnson	Niland	Von Dohlen
Craddick	Jones, E.	Ogg	Ward
Cruz	Jones, G.	Parker, W.	Wayne
Davis, D.	Jungmichel	Patterson	Wieting
Davis, H.	Kilpatrick	Pickens	Williams
Doyle	Kost	Poerner	Williamson
Dramberger	Kubiak	Presnal	Wyatt
Earthman	Lee	Rodriguez	

Nays—30

Adams	Denton	Hannah, John	Reed
Bass, T.	Doran	Head	Rosson
Cates	Farenthold	Howard	Salter
Cavness	Finck	Jones, D.	Stewart
Christian	Finnell	Kaster	Vale
Coats	Floyd	Nugent, J.	Wolff
Cole	Grant	Poff	
Daniel	Graves	Price	

Absent

Bass, B.	Beckham	Burgess
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Absent-Excused

Allred	Parker, C.	Shannon	Simmons
Orr			

HB 1828 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,

HB 1828, Providing for total state funding of the Foundation School Program; providing an effective date; and declaring an emergency.

The bill was read second time and failed to pass to engrossment by the following vote:

Yeas—68

Adams	Doyle	Jungmichel	Rosson
Allen, Joe	Dramberger	Kubiak	Salter
Atwell	Garcia	Ligarde	Sanchez
Baker	Golman	Lovell	Santiesteban
Bass, B.	Graves	McAlister	Sherman
Bass, T.	Hannah, John	Moore, A.	Short
Beckham	Harding	Moreno	Silber
Blanton	Harris	Murray	Slack
Boyle	Hawkins	Nabers	Swanson
Braun	Heatly	Neugent, D.	Traeger
Burgess	Hendricks	Newton	Uher
Carrillo	Holmes, T.	Nichols	Von Dohlen
Christian	Holmes, Z.	Nugent, J.	Ward
Clayton	Hubenak	Patterson	Wieting
Cobb	Johnson	Poerner	Williams
Cruz	Jones, D.	Presnal	Wolff
Doran	Jones, G.	Reed	Wyatt

Nays—74

Agnich	Denton	Jones, E.	Poff
Allen, John	Earthman	Kaster	Price
Angly	Farenthold	Kilpatrick	Rodriguez
Atwood	Finck	Kost	Salem
Bigham	Finnell	Lee	Semos
Blythe	Finney	Lemmon	Slider
Bowers	Floyd	Lewis	Smith
Braecklein	Foreman	Lombardino	Solomon
Bynum	Gammage	Longoria	Spurlock
Caldwell	Grant	McKissack	Stewart
Calhoun	Hale	Mengden	Stroud
Cates	Hanna, Joe	Moncrief	Tarbox
Cavness	Hawn	Moore, G.	Truan
Clark	Haynes	Moore, T.	Tupper
Coats	Head	Nelms	Vale
Cole	Hilliard	Niland	Wayne
Craddick	Howard	Ogg	Williamson
Davis, D.	Hull	Parker, W.	
Davis, H.	Ingram	Pickens	

Absent

Daniel	Schulle
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Absent-Excused

Allred	Parker, C.	Shannon	Simmons
Orr			

Mr. Williamson moved to reconsider the vote by which HB 1828 failed to pass to engrossment and to table the motion to reconsider.

The motion to table was lost by the following vote:

Yeas—57

Angly	Finck	Kaster	Semos
Bigham	Finnell	Kilpatrick	Slider
Blythe	Finney	Lee	Smith
Bowers	Floyd	Lemmon	Solomon
Braecklein	Grant	Lewis	Spurlock
Caldwell	Hale	Lombardino	Stewart
Calhoun	Hanna, Joe	McKissack	Stroud
Clark	Hawn	Mengden	Truan
Coats	Haynes	Moncrief	Tupper
Cole	Head	Moore, G.	Vale
Craddick	Hilliard	Moore, T.	Wayne
Davis, D.	Howard	Nelms	Williamson
Denton	Hull	Poff	
Earthman	Ingram	Price	
Farenthold	Jones, E.	Salem	

Nays—83

Adams	Cruz	Jungmichel	Reed
Agnich	Davis, H.	Kost	Rodriguez
Allen, Joe	Doran	Kubiak	Rosson
Allen, John	Doyle	Ligarde	Salter
Atwell	Dramberger	Longoria	Sanchez
Atwood	Foreman	Lovell	Santiesteban
Baker	Gammage	McAlister	Sherman
Bass, B.	Garcia	Moore, A.	Short
Bass, T.	Golman	Moreno	Silber
Beckham	Graves	Murray	Slack
Blanton	Hannah, John	Nabers	Swanson
Boyle	Harding	Neugent, D.	Tarbox
Braun	Harris	Newton	Traeger
Burgess	Hawkins	Nichols	Uher
Bynum	Heatly	Nugent, J.	Von Dohlen
Carrillo	Hendricks	Ogg	Ward
Cates	Holmes, T.	Parker, W.	Wieting
Cavness	Hubenak	Patterson	Williams
Christian	Johnson	Pickens	Wolff
Clayton	Jones, D.	Poerner	Wyatt
Cobb	Jones, G.	Presnal	

Absent

Daniel	Holmes, Z.	Niland	Schulle
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Absent-Excused

Allred
Orr

Parker, C.

Shannon

Simmons

LEAVE OF ABSENCE GRANTED

The following Member was granted leave of absence for the remainder of today on account of important business:

Mr. Schulle on motion of Mr. Foreman.

HB 612 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,

HB 612, A bill to be entitled An Act relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; repealing Chapter 274, Acts of the 60th Legislature, Regular Session, 1967, as amended, and other inconsistent legislation; and declaring an emergency.

The bill was read second time.

Mr. Finney offered an amendment to HB 612.

Mr. Salter raised a point of order against further consideration of the Finney amendment on the grounds that it amends the First Printing of the bill which is not before the House.

The Speaker overruled the point of order.

Mr. Kubiak moved that consideration of HB 612 be postponed until 11:00 a.m., May 25, 1971.

Mr. Finney moved to table the motion to postpone.

A record vote was requested.

The motion to table was lost by the following vote:

Yeas—22

Bass, B.
Cavness
Clayton
Doran
Dramberger
FinckFinney
Foreman
Golman
Hannah, John
Harris
HullLewis
Moncrief
Nugent, J.
Pickens
Rodriguez
SlackSlider
Spurlock
Stewart
Tarbox

Nays—112

Adams	Cruz	Jones, E.	Poff
Agnich	Daniel	Jones, G.	Presnal
Allen, Joe	Davis, D.	Jungmichel	Price
Allen, John	Davis, H.	Kaster	Reed
Angly	Denton	Kilpatrick	Rosson
Atwell	Doyle	Kost	Salem
Atwood	Earthman	Kubiak	Salter
Baker	Farenthold	Lee	Sanchez
Bass, T.	Finnell	Lemmon	Santiesteban
Beckham	Floyd	Ligarde	Semos
Bigham	Gammage	Lombardino	Sherman
Blythe	Garcia	Longoria	Short
Bowers	Grant	Lovell	Silber
Boyle	Graves	McKissack	Smith
Braecklein	Hale	Mengden	Solomon
Braun	Hanna, Joe	Moore, A.	Swanson
Burgess	Harding	Moore, G.	Traeger
Bynum	Hawkins	Moore, T.	Truan
Caldwell	Hawn	Moreno	Tupper
Calhoun	Haynes	Murray	Uher
Carrillo	Head	Nabers	Vale
Cates	Heatly	Nelms	Von Dohlen
Christian	Hendricks	Neugent, D.	Ward
Clark	Hilliard	Newton	Wieting
Coats	Holmes, Z.	Niland	Williams
Cobb	Howard	Ogg	Williamson
Cole	Hubenak	Patterson	Wolff
Craddick	Ingram	Poerner	Wyatt

Present—Not Voting

Holmes, T.

Absent

Blanton	Jones, D.	Nichols	Stroud
Johnson	McAlister	Parker, W.	Wayne

Absent-Excused

Allred	Parker, C.	Shannon	Simmons
Orr	Schulle		

REASON FOR VOTE

I inadvertently voted Yea on the motion to table the motion to postpone HB 612. My vote should be recorded as Nay as I have consistently voted against this bill.

Signed: Golman

The motion to postpone HB 612 until 11:00 a.m. on May 25 then prevailed.

Mr. Sherman moved to print the Finney amendment to HB 612 and to place same on the Member's desks.

The motion was lost.

Mr. Pickens moved to not print the Finney amendment to HB 612 in the House Journal.

The motion to not print in the House Journal prevailed by the following vote:

Yeas—81

Agnich	Floyd	Lemmon	Price
Allen, John	Foreman	Lewis	Salem
Angly	Golman	Lombardino	Salter
Atwell	Grant	Lovell	Semos
Beckham	Hale	McAlister	Sherman
Bigham	Hawn	McKissack	Slack
Blanton	Haynes	Mengden	Slider
Blythe	Head	Moncrief	Solomon
Bowers	Heatly	Moore, A.	Spurlock
Boyle	Hendricks	Moore, G.	Swanson
Braecklein	Hilliard	Moore, T.	Tarbox
Cates	Howard	Murray	Truan
Cavness	Ingram	Nabers	Tupper
Clayton	Johnson	Nelms	Uher
Cole	Jones, D.	Neugent, D.	Ward
Craddick	Jones, E.	Niland	Wayne
Cruz	Jungmichel	Ogg	Wieting
Davis, H.	Kaster	Pickens	Williams
Denton	Kilpatrick	Poerner	
Earthman	Kost	Poff	
Finck	Lee	Presnal	

Nays—56

Adams	Daniel	Holmes, T.	Rosson
Allen, Joe	Davis, D.	Holmes, Z.	Sanchez
Atwood	Doran	Hull	Santiesteban
Baker	Doyle	Jones, G.	Short
Bass, B.	Dramberger	Kubiak	Silber
Bass, T.	Farenthold	Ligarde	Smith
Braun	Finnell	Longoria	Stewart
Bynum	Finney	Moreno	Stroud
Caldwell	Gammage	Newton	Traeger
Calhoun	Garcia	Nichols	Vale
Christian	Graves	Nugent, J.	Von Dohlen
Clark	Hannah, John	Patterson	Williamson
Coats	Harris	Reed	Wolff
Cobb	Hawkins	Rodriguez	Wyatt

Absent

Burgess	Hanna, Joe	Hubenak	Parker, W.
Carrillo	Harding		

Absent-Excused

Allred	Parker, C.	Shannon	Simmons
Orr	Schulle		

(Mr. Jim Nugent in the Chair)

HSR 503—ADOPTED

(Congratulating the Honorable Dean Cobb on his birthday)

Mr. Bynum offered the following resolution:

HSR 503

Whereas, On this crisp spring day, the 17th of May 1971, there is cause for celebration and cheer in the House of Representatives of the 62nd Legislature; and

Whereas, There sits among us a second-term Representative, Dean Cobb, who was born in greatness and grandeur exactly 35 years and one day ago, thus giving us this occasion for celebration; and

Whereas, This Ding-Dong Daddy of the Demons of Dumas is truly the essence of a Great Ding-Dong Daddy as he strides onto the House Floor in fashion's latest knit pants mixed with a saucy shirt and four-inch tie; and

Whereas, This Handsome and Debonair Gentleman Representative is affectionately referred to as "Big Red" because of the flaming red hair crowning the very top of his politician face with the bright blue eyes; and

Whereas, This same unmistakably red hair can be seen flying in the breeze each and every morning around 7:00 a.m. as the Young Representative runs his daily mile to keep the body in shape for his knit pants; and

Whereas, This Redheaded Wonder Boy has so ably and willingly served the People of his 77th District which includes the counties of Dallam, Hartley, Hutchinson, Moore, and Oldham; and

Whereas, Because of his many accomplishments, his friendly smile, and his ever-ready helping hand, the Dumas Representative is truly a beloved Legislator of his People; and

Whereas, The Honorable Dean Cobb's lovely wife, Tricia, and two children, Kendall and Courtney, and one other child on the way, join with Friends, Legislators, and many others in wishing the Representative a most happy birthday; now, therefore, be it

Resolved, That Members of the House of Representatives of the 62nd Legislature hereby wish the Honorable Dean Cobb an exceptionally happy birthday and many more happy, healthy, and successful years of legislation; and, be it further

Resolved, That an official copy of this Resolution, under the seal of the House of Representatives, be signed and presented to Representative Dean Cobb as a token of respect and friendship on his birthday and as an expression of high praise for his many hours of hard and dedicated work for the State of Texas.

The resolution was read and was unanimously adopted.

On motion of Mr. Golman, the names of all the Members of the House were added to the resolution as signers thereof.

ADJOURNMENT

Mr. Adams moved that the House recess until 8:15 p.m. today.

Mr. Ogg moved that the House adjourn until 10:00 a.m. tomorrow.

The motion to adjourn prevailed.

The House accordingly, at 2:26 p.m., adjourned until 10:00 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Banks and Banking: SB 409.

Conservation and Reclamation: HB 1809, HB 1836, HB 1837, HB 1838, HB 1842, HB 1844.

Counties: HB 1827, HB 1839, HB 1848, HB 1850, HB 1855, SB 252, SB 448, SB 813, SB 940.

Constitutional Amendments: SJR 1.

Criminal Jurisprudence: HB 155, HB 921, SB 389, SB 390.

Engrossed and Enrolled Bills: Correctly engrossed—HB 22, HB 199, HB 212, HB 318, HB 390, HB 459, HB 460, HB 463, HB 578, HB 606, HB 607, HB 608, HB 609, HB 622, HB 646, HB 661, HB 665, HB 703, HB 709, HB 735, HB 849, HB 858, HB 860, HB 870, HB 890, HB 952, HB 992, HB 1031, HB 1089, HB 1021, HB 1002, HB 1004, HB 1007, HB 1109, HB 1110, HB 1131, HB 1134, HB 1147, HB 1148, HB 1157, HB 1176, HB 1184, HB 1186, HB 1196, HB 1203, HB 1213, HB 1250, HB 1251, HB 1321, HB 1386, HB 1387, HB 1393, HB 1401, HB 1406, HB 1527, HB 1535, HB 1541, HB 1548, HB 1599, HB 1630, HB 1643, HB 1654, HB 1671, HB 1678, HB 1682, HB 1685, HB 1688, HB 1706, HB 1709, HB 1743, HB 1746, HB 1752, HB 1753, HB 1754, HB 1765, HB 1782, HB 1830, HB 1858, HCR 143, HCR 144, HCR 146. Correctly enrolled—HB 854, HB 1644, HB 425, HB 172, HB 239, HB 282, HB 305, HB 492, HB 491, HB 986, HB 130, HB 197, HB 373, HB 380, HB 398, HB 411, HB 444, HB 428, HB 446, HB 509, HB 511, HB 512, HB 542, HB 625, HB 672, HB 726, HB 759, HB 775, HB 824, HB 833, HB 933, HB 1043, HB 1086, HB 1140, HB 1205, HB 1304, HB 1339, HB 1403, HB 1525, HB 1600, HB 1601, HB 1608, HB 1638, HB 1658, HB 1679, HB 615, HB 616, HB 389, HB 1289, HB 1153, HB 1353, HB 1620, HB 363, HB 483, HB 844, HB 927, HB 1003, HB 1226, HB 1858, HCR 41, HCR 63, HCR 139, HCR 142.

Highways and Roads: HB 1509, HB 1510, HB 1511, SB 420.

Motor Transportation: SB 350, SB 351.

Oil, Gas, and Mining: SB 514.

Public Education: HB 1056.

Resolutions and Interim Activities: HSR 24, HSR 424.

School Districts: HB 1495, SB 677, SB 880.

State Affairs: HB 1096, HB 1862, SB 719, SB 833, SB 834, SB 836, SB 961, SB 977, SB 978.

Urban Affairs: HB 626, HB 792, HB 1299, HB 1789, SB 236, SB 607, SB 927.

SEVENTY-SEVENTH DAY—TUESDAY, MAY 18, 1971

The House met at 10:00 a.m. and was called to order by the Honorable Tommy Shannon.

The roll of the House was called and the following Members were present:

Adams	Doran	Jones, G.	Price
Agnich	Dramberger	Jungmichel	Salem
Allen, Joe	Earthman	Kaster	Sanchez
Allen, John	Farenthold	Kost	Schulle
Allred	Finck	Kubiak	Shannon
Baker	Finnell	Lemmon	Sherman
Bass, B.	Gammage	Lewis	Short
Bass, T.	Garcia	Lombardino	Silber
Beckham	Golman	Longoria	Simmons
Bigham	Grant	Lovell	Slack
Blanton	Hanna, Joe	McAlister	Smith
Blythe	Hannah, John	McKissack	Solomon
Boyle	Harding	Mengden	Spurlock
Braecklein	Harris	Moncrief	Stroud
Braun	Hawkins	Moore, A.	Swansen
Burgess	Hawn	Moore, G.	Tarbox
Bynum	Haynes	Moreno	Tupper
Calhoun	Head	Murray	Vale
Carrillo	Heatly	Nabers	Von Dohlen
Cates	Hendricks	Nelms	Ward
Clark	Hilliard	Niland	Wayne
Coats	Holmes, T.	Nugent, J.	Wieting
Cobb	Howard	Parker, C.	Williams
Cole	Hubenak	Patterson	Wolff
Craddick	Ingram	Pickens	
Davis, H.	Johnson	Poerner	
Denton	Jones, E.	Presnal	
Absent			
Atwell	Doyle	Ligarde	Rosson
Atwood	Finney	Moore, T.	Salter
Bowers	Floyd	Neugent, D.	Santiesteban
Caldwell	Foreman	Newton	Semos
Cavness	Graves	Nichols	Stewart
Christian	Hale	Ogg	Traeger
Clayton	Hull	Parker, W.	Truan
Cruz	Jones, D.	Poff	Uher
Daniel	Kilpatrick	Reed	Williamson
Davis, D.	Lee	Rodriguez	Wyatt